

Exhibit 11

Confidential – Subject to The Protective Order
Luis Manuel Collazo Rodriguez – June 9, 2020

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF PUERTO RICO
3 _____
4 In Re:)
5 THE FINANCIAL OVERSIGHT AND) PROMESA TITLE III
6 MANAGEMENT BOARD FOR PUERTO RICO,) Case No.
7 as representative of) 17-BK-03283 (LTS)
8 THE COMMONWEALTH OF PUERTO RICO,)
9 et. al,)
10 Debtors.)
11 _____)
12 In Re:) PROMESA Title III
13 THE FINANCIAL OVERSIGHT AND) Case No.
14 MANAGEMENT BOARD FOR PUERTO RICO) 17-BK-03566 (LTS)
15 as representative of)
16 THE EMPLOYEES RETIREMENT SYSTEM)
17 OF THE GOVERNMENT OF THE)
18 COMMONWEALTH OF PUERTO RICO,)
19 Debtor.)
20 _____)

21 CONFIDENTIAL – SUBJECT TO THE PROTECTIVE ORDER
22 DEPOSITION OF
23 LUIS MANUEL COLLAZO RODRIGUEZ
24 VOLUME 2
25 Tuesday, June 9, 2020, 9:13 a.m.
REPORTED BY: Dennis Zambataro, RPR and CCR

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1 – TRANSCRIPT OF PROCEEDINGS –

2 Tuesday, June 9, 2020

3 Time noted: 9:13 a.m.

4 VIDEOGRAPHER: We are back on the

5 record with the continuation of the

6 deposition for Luis Manuel Collazo

7 Rodríguez on June 9, 2020. The time is

8 9:13 a.m. Eastern Standard Time.

9 Please proceed.

10 LUIS MANUEL COLLAZO RODRIGUEZ,

11 having been previously duly sworn, was examined and

12 testified as follows:

13 EXAMINATION (CONTINUED)

14 BY MR. PAPEZ:

15 Q Good morning, Mr. Collazo.

16 Do you understand you're still under
17 oath today?

18 A [In English] Good morning, Matt.

19 Yes, I understand it.

20 Q Okay. Overnight did you do anything
21 further to prepare for your continued deposition
22 today?

23 A No. Only having a good rest.

24 Q Okay. Good. Then we will continue.

25 A Yes.

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1 and would have reviewed these financial

2 statements before they were issued, correct?

3 MR. SUSHON: Objection. Beyond the
4 scope.

5 [Question interpreted.]

6 THE WITNESS: Correct.

7 BY MR. PAPEZ:

8 Q These financial statements that were
9 issued in October 2018 reflect that the ERS
10 pension funding bonds are a liability of ERS,
11 correct?

12 MR. SUSHON: Objection. Beyond the
13 scope. I apologize.

14 THE INTERPRETER: That's okay.

15 [Question interpreted.]

16 THE WITNESS: Yes.

17 BY MR. PAPEZ:

18 Q Just to be clear, October of 2018
19 was after the time when ERS had made a
20 determination that the ERS bonds were invalid,
21 correct?

22 MR. SUSHON: Objection. Beyond the
23 scope.

24 [Question interpreted.]

25 THE WITNESS: Yes, the determination

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1 was in 2017; the financial statements
2 were in 2018; 2017 comes before 2018.

3 BY MR. PAPEZ:

4 Q Why was that \$3.134 billion entry
5 made as a liability for the pension fund in
6 October of 2018?

7 MR. SUSHON: Objection. Beyond the
8 scope. And foundation.

9 [Question interpreted.]

10 THE WITNESS: The system included
11 that liability in the financial
12 statement. And that is independent of
13 the legal determination that was made
14 between May and August of 2017.

15 Because that determination has
16 obviously taken us into litigation, in
17 which we're questioning and requesting --
18 requesting that these bonds be declared
19 null and void and illegal.

20 But until the Court does not rule on
21 this, the decision was made to
22 responsibly -- to responsibly include a
23 debt that today we are litigating and
24 questioning. And that we believe that
25 the system acquired that debt through an

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1 illegal transaction.

2 So the financial statement is for --
3 on a specific date and reflects the -- an
4 X-ray, a radiograph of the system for a
5 specific date. And that which is
6 reflected in that financial statement, we
7 are responsibly litigating.

8 But by including it in the financial
9 statement, or if you are saying that
10 including it in that -- including it in
11 the financial statement is a matter of
12 validating that, in no way.

13 It is there because the Court has
14 not made a final ruling regarding this
15 issue.

16 I hope this answers your question.

17 BY MR. PAPEZ:

18 Q You can close that document. I'm
19 going to ask some more general questions next,
20 sir.

21 Mr. Collazo, what is the earliest
22 date ERS was aware from any source of the debt
23 authorization language in the ERS Enabling Act
24 as it existed in 2008?

25 A What system are you talking about?

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1 I mean, there's one system, but there have been
2 several administrations.

3 Q I am talking about ERS as an entity.

4 A The thing is the entity does not
5 become aware of things. It becomes aware
6 through the management and the officers.

7 The question should be: When was
8 the first time that someone noticed or became
9 aware, if that's the question that you want to
10 ask.

11 Q Well, the debt -- strike that.

12 The ERS Enabling Act is your organic
13 statute for ERS, right?

14 A Correct.

15 Q Is it fair to say that ERS as an
16 entity was aware of the debt authorization
17 language of the ERS Enabling Act when it was
18 added to the ERS Enabling Act?

19 MR. SUSHON: Objection.

20 [Question interpreted.]

21 THE WITNESS: Yes. Not only the
22 retirement system, the laws are public,
23 many people may have been aware and other
24 government agencies, also. The laws are
25 public.